

Message Text

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ACTION L-01

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 1407

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 5930

LIMDIS

E.O. 11652: GDS

TAGS: PGOV, PFOR, UN, ECOSOC

SUBJECT: 61ST ECOSOC - US PROPOSAL ON ILLICIT PAYMENTS

1. AT THE END OF TWO WEEKS OF INTENSIVE LOBBYING (ALREADY REPORTED), OUR PROPOSAL ON ILLICIT PAYMENTS STILL FACES SERIOUS DIFFICULTIES. KEY PROBLEM IS WITH G-77 WHERE, IN SPITE OF ASSISTANCE FROM SOME IMPORTANT MEMBERS (IRAN IN PARTICULAR), WIDE PLEDGES OF SUPPORT FROM OTHERS, AND RENEWED APPROACHES IN CAPITALS, A CRITICAL CORE GROUP REMAINS OPPOSED. KEY MEMBERS OF THIS GROUP INCLUDE AT LEAST MEXICO, CUBA, POSSIBLY BRAZIL, JAMAICA AND ALGERIA. NIGERIA IS ALSO VERY DIFFICULT. G-77 OPERATES ON THE BASIS OF CONSENSUS AND THUS, ALTHOUGH HARD CORE COUNTRIES PROBABLY DO NOT REPRESENT THE MAJORITY VIEW, THEIR CONTINUED FIRM OPPOSITION WOULD MEAN THAT THE G-77 AS A WHOLE WOULD NOT SUPPORT OUR PROPOSAL.

2. AS REPORTED EARLIER, EC-9 IS NOW BASICALLY ON OUR SIDE AS ARE SCANDINAVIANS, AND WOULD SUPPORT OUR PROPOSAL. HOWEVER, THE FRG, UK, FRANCE AND PERHAPS AUSTRALIA WOULD BE LIKELY TO MAKE STATEMENTS OF RESERVATION.

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3. WE HAVE NOT LOBBIED EXTENSIVELY WITH THE SOVIET

BLOC DELEGATIONS HOPING WE COULD FIRST SETTLE MATTERS INFORMALLY WITH G-77. IF G-77 OPPOSED US, HOWEVER, THE USSR, EASTERN EUROPE AND CHINA WOULD ALMOST CERTAINLY LINE UP WITH THEM.

4. SEPTEL CONTAINS DRAFTING SUGGESTIONS WHICH COULD MEET SOME OF THE OBJECTIONS WE HAVE HEARD. AS DEPARTMENT WILL NOTE, THESE CHANGES ARE ESSENTIALLY COSMETIC AND DO NOT COMPROMISE THE BASIC THRUST OF OUR PROPOSAL. WE DO NOT YET KNOW WHETHER THEY WOULD BE SUFFICIENT TO OVERCOME SIGNIFICANT G-77 OPPOSITION. ON THE CONTINGENCY THAT THEY ARE NOT SUFFICIENT, WE BELIEVE THE DEPARTMENT SHOULD CONSIDER AND PROVIDE US GUIDANCE ON THE TWO FUNDAMENTAL ISSUES INVOLVED: (A) THE DEGREE TO WHICH SOME COMBINATION OF STUDYING AND DRAFTING A CONVENTION WOULD BE ACCEPTABLE; AND (B) WHETHER THERE IS ANY FLEXIBILITY WHATSOEVER IN EXTENDING THE MANDATE OF THE WORKING GROUP TO COVER MORE THAN ILLICIT PAYMENTS IN CONNECTION WITH TRADE AND INVESTMENT TRANSACTIONS WITH GOVERNMENTS, E.G., A WIDER RANGE OF PRACTICES AND/OR WIDER RANGE OF ILLICIT PAYMENTS.

5. WE WISH TO UNDERLINE THAT WE HAVE GIVEN NO HINT THAT THE ABOVE ITEMS ARE NEGOTIABLE AND ARE RAISING THESE POINTS WITH THE DEPARTMENT ONLY ON THE CONTINGENCY THAT THEY BECOME THE SINE QUA NON FOR A RESOLUTION AT THIS SESSION OF ECOSOC. WE SHALL UNDOUBTEDLY NEED QUICK GUIDANCE NEXT WEEK, AND WILL KEEP DEPARTMENT CURRENT ON A DAILY BASIS RE GENEVA SITUATION. ABRAMS

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